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PATENT

Attorney Docket No. 22194(1)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Barnes et al.

Serial No.: 10/632,387

Art Unit: 3737

Filed: 08/01/2003

Examiner:

For: Optical Devices For Medical Diagnostics

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

INFORMATION DISCLOSURE STATEMENT

1. Preliminary Statement

Applicants submit herewith patents, publications, or other information, of which they are aware that they believe may be material, as defined in 37 CFR § 1.56(b), to the examination of this application, and in respect of which, there may be a duty to disclose in accordance with 37 CFR § 1.56(a). While the information referred to in this Information Disclosure Statement may be material pursuant to 37 CFR §1.56(b), the filing of this Information Disclosure Statement is not intended, pursuant to 37 CFR §1.97(h), to constitute an admission that any patent, publication, or other information referred to is, or is considered to be, material to the patentability of this invention. Further, pursuant to 37 CFR §1.97(g), the filing of this Information Disclosure Statement should not be construed as a statement that a search has been made or that no other material information exists. The filing of this information disclosure statement shall not be construed as an admission against interest in any manner.

2. Transmitted herewith and forming a part of this Information Disclosure Statement are forms PTO/SB/08A and 08B on which are listed items of information.

US Patent Documents

A1	5,318,024	Kittrell et al.	06/07/994
A2	5,782,770	Mooradian et al.	07/21/1998
A3	6,002,480	Izatt et al.	12/24/1999
A4	6,069,689	Zeng et al.	05/30/2000
A5	6,088,606	Ignotz et al.	07/11/2000

Foreign Patent Documents

A6	WO 98/38907	Boppart et al.	09/11/1998
A7	WO 01/34031 A1	Bambot et al.	05/17/2001

Other Art – Non-Patent Literature Documents

B1 – Anderson, Peter E. et al.; Local Diffuse Reflectance From Three-Layered Skin Tissue Structures; SPIE Vol. 2979; pp 515-526

B2 – Bruulsema, J.T. et al.; Optical Properties of Phantoms and Tissue Measured in vivo from 0.9-1.3 μ m Using Spatially Resolved Diffuse Reflectance; SPIE Vol. 2979; pp 325-334

B3 – Choo-Smith, L.P. et al.; Medical Applications of Raman Spectroscopy: From Proof of Principle to Clinical Implementation; Biopolymers (Biospectroscopy), Vol. 67; pp 1-9; 2002

B4 – Georgakoudi, Irene et al.; Fluorescence, Reflectance, and Light-Scattering Spectroscopy For Evaluating Dysplasia in Patients With Barrett's Esophagus; Gastroenterology; 2001; pp 1620-1629

B5 – Liu, C.H. Et al.; Raman, fluorescence, and time-resolved light scattering as optical diagnostic techniques to separate diseased and normal biomedical media; J. Photochem. Photobiol. B: boil., 16; 1992; pp 187-209

B6 – Koenig, Frank et al.; Spectroscopic Measurement of Diffuse Reflectance For Enhanced Detection of Bladder Carcinoma; Urology 51 (2); 1998; pp 342-345

B7 – Nickell, Stephan et al.; Anisotropy of light propagation in human skin; Phys. Med. Biol. 45; 2000; pp 2873-2886

B8 – Palmer, Gregory M. et al.; Optimal Methods for Fluorescence and Diffuse Reflectance Measurements of Tissue Biopsy Samples; Lasers in Surgery and Medicine; 2002; pp 1-10

B9 – Parker, Mary et al.; Hyperspectral Diagnostic Imaging of the Cervix; Report on a New Investigational Device; J. of Lower Genital Tract Disease; Vol. 4 No. 3; 2000; pp 119-124

B10 – Richards-Kortum, Rebecca et al.; Quantitative Optical Spectroscopy For Tissue Diagnosis; Annu. Rev. Phys. Chem.; 1996; 47; pp 555-606

B11 – Zelenchuk, Alex R. et al.; Fluorescence and Reflectance Spectra of Freshly Excised Cervical Tissue; Optical Biopsy IV, Proceedings of SPIE; Vol. 4613; 2002; pp 51-58

3. This Information Disclosure Statement is being submitted before an action on the merits; therefore, it is believed no additional fee is due.

4. Only copies of Foreign Patent Documents and Other Art – Non-Patent Literature Documents are enclosed.

The person making this statement is the practitioner who signs below on the basis of the information in the practitioner's file.

Respectfully submitted,



Registration No. 30,437

Phone (614) 424-6589

Fax (614) 424-3864

Email: wiesmann@battelle.org

Customer No. 24116

Klaus H. Wiesmann
BATTELLE MEMORIAL INSTITUTE
505 King Avenue
Columbus, Ohio 43201-2693
May 3, 2005



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Approved for use through 07/31/2006. OMB 0651-0031
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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

346

Application Number

10/632,387

Filing Date

08-01-2003

First Named Inventor

Barnes et al.

Art Unit

3737

Examiner Name

Attorney Docket Number

13265

22194(1)

ENCLOSURES (Check all that apply)☐

Fee Transmittal Form

☐

Fee Attached

☐

Amendment/Reply

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After Final

☐

Affidavits/declaration(s)

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Extension of Time Request

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Express Abandonment Request

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Information Disclosure Statement

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Certified Copy of Priority Document(s)

☐Reply to Missing Parts/
Incomplete Application☐Reply to Missing Parts
under 37 CFR 1.52 or 1.53☐

Drawing(s)

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Licensing-related Papers

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Petition

☐Petition to Convert to a
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☐Appeal Communication to Board
of Appeals and Interferences☐Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)☐

Proprietary Information

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Status Letter

☒Other Enclosure(s) (please identify
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Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

Battelle Memorial Institute

Signature

Printed name

Klaus H. Wiesmann

Date

05-03-2005

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CERTIFICATE OF TRANSMISSION/MAILING

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Substitute for form 1449/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

Sheet 2 of 3	Application Number	10/632,387
	Filing Date	08-01-2003
	First Named Inventor	Barnes et al.
	Art Unit	3737
	Examiner Name	
Attorney Docket Number		13265 22194(1)

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	B1	ANDERSON, PETER E. et al.; Local Diffuse Reflectance, Peter E. et al.; Local Diffuse Reflectance From Three-Layered Skin Tissue Structures; SPIE Vol. 2979; pp 515-526	
	B2	Bruulsema, J.T. et al.; Optical Properties of Phantoms and Tissue Measured in vivo from 0.9-1.3µm Using Spatially Resolved Diffuse Reflectance; SPIE Vol. 2979; pp 325-334	
	B3	Choo-Smith, L.P. et al.; Medical Applications of Raman Spectroscopy: From Proof of Principle to Clinical Implementation; Biopolymers (Biospectroscopy), Vol. 67; pp 1-9; 2002	
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Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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				Application Number	10/632,387
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				First Named Inventor	Barnes et al.
				Art Unit	3737
				Examiner Name	
Sheet	3	of	3	Attorney Docket Number	13265 [22194(1)]

[illegible]

Examiner Signature		Date Considered	
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